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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

GRANT, ALVIN J

ART UNIT PAPER NUMBER

3723

DATE MAILED: 11/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/936,308

Applicant(s)

LILJEDAHL, BENGT

Examiner

Alvin J Grant

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/27/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larson '038 in view of Werth '565.

Larson discloses an accessory for a power tool, the accessory comprising: a mounting part for mounting to the surface (column 2, lines 1-4), an input shaft contained in the mounting part for coupling with an output shaft, a transmission connected to the input shaft for transferring movement of the output shaft to drive the accessory, a fork-shaped unit having two opposite sides and containing the transmission, a roller (10) having a working surface having opposite ends mounted in opposite legs of the fork-shaped unit and connected to the transmission for receiving power therefrom; and a prolongation unit including a first end having a mounting part similar to the mounting part of the fork-shaped unit and an opposite second end similar to the output side of a driving machine for which the accessory is intended (17), and an intermediate shaft (27) between the first and second ends (See Fig. 1). Larson does not specifically disclose a power tool having an output shaft having a direction substantially perpendicular to the rotary axis of the roller. Werth discloses a sanding machine in which a power tool containing an output shaft that is substantially perpendicular to the rotary axis of the sander, so as to transfer movement to the output shaft of the sander. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the apparatus of Larson to connect thereto a power tool as taught by Werth so as to transfer movement to the output shaft.

Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larson in view of Werth and in further view of Ichikawa '694.

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Larson as modified is described above. The modified Larson does not specifically disclose toothed wheels or a toothed driving belt. Ichikawa discloses a first toothed wheel rigidly attached to an input shaft, a second toothed wheel rigidly attached to the driving shaft and a toothed driving belt for transmitting power from the drive shaft to the roller (Fig. 3). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have made the apparatus of Larson et al to have a first toothed wheel rigidly attached to an input shaft, a second toothed wheel rigidly attached to the driving shaft and a toothed driving belt as taught by Ichikawa so as to transmit power from the drive shaft to the roller.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larson in view of Werth and Ichikawa and in further view of Evensen '197.

Larson as modified is described above. The modified Larson does not specifically disclose a working cloth spirally wrapped around the working surface of the roller. Evensen discloses an apparatus comprising a working cloth spirally wrapped around the working surface of the roller (Fig. 7, # 62) so maximize the strength of the bonding of the cloth to the surface. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have made the apparatus of Ichikawa to have a working cloth spirally wrapped around the working surface of the roller as taught by Evensen so as to maximize the strength of the bonding of the cloth to the surface.

Response to Arguments

Applicant's arguments with respect to claims 2-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin J Grant whose telephone number is (703) 305-3315. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J Hail can be reached on (703) 308-2687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ajg

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